



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

House: JUD DP 5-3-0-0-0

HB 2502: child support; date of pregnancy

Sponsor: Representative Gress, LD 4

House Engrossed

Overview

Adds the date of a positive pregnancy test confirmed by a licensed health care professional as a permissible date to which a court may direct past child support payments if that date was earlier than the original date of filing a dissolution of marriage, legal separation, maintenance or child support proceeding.

History

A court is authorized to order either or both parents owing a duty of support to a child to pay an amount reasonable and necessary to support the child in a proceeding for dissolution of marriage, legal separation, maintenance or child support, regardless of marital misconduct. Statute requires the Arizona Supreme Court to establish guidelines for determining the proper amount of child support (Guidelines) and review them at least once every four years.

If child support has not been previously ordered and a court deems child support appropriate, statute requires the court to retroactively apply the Guidelines to the date of filing a dissolution of marriage, legal separation, maintenance or child support proceeding and direct the parents to pay for the past support of the child and the manner in which payment must be paid ([A.R.S. § 25-320](#)).

Provisions

1. Allows a court to consider the date of a positive pregnancy test confirmed by a licensed health care professional as an acceptable date to which the court may retroactively apply the Guidelines to direct past support payments if that date occurred prior to the original date of filing a dissolution of marriage, legal separation, maintenance or child support proceeding. (Sec. 1, 2)
2. Specifies that, in directing the amount of past child support from the date of a positive pregnancy test confirmed by a licensed health care professional, the court must take into account any amount of temporary or voluntary support that has been paid from and after the date of the positive pregnancy test. (Sec. 1)
3. Makes technical and conforming changes. (Sec. 1, 2)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note